

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

B.N., a minor, by and through
T.N., his Guardian ad Litem,

Plaintiff,

v.

DAVIS JOINT UNIFIED SCHOOL
DISTRICT and YOLO COUNTY
OFFICE OF EDUCATION,

Defendants.

NO. CIV. S-05-826 LKK/GGH

O R D E R

Plaintiff brings suit under Section 1415(i)(2)(A) of the Individuals with Disabilities Education Act ("IDEA"). Plaintiff alleges that B.N., a three-year-old child, has been aggrieved by a hearing decision rendered by the Special Education Hearing Office on or about February 1, 2005. This matter is before the court pursuant to an order issued by the court during a July 25, 2005 Status Conference. Plaintiff was ordered to "bring on a motion within thirty (30) days to test the right to further discovery and the admission of additional evidence." Having considered the

1 parties' papers and arguments raised during oral argument, the
2 court ORDERS as follows:

3 1. Plaintiff's motion for further discovery is GRANTED.
4 Plaintiff, however, is directed to inform defendants of discovery
5 matters sought, and if defendants object to such requests,
6 defendants shall bring a motion before the magistrate judge.¹

7 2. Pursuant to the July 25, 2005 Status Conference, a further
8 Status Conference is scheduled for December 12, 2005 at 2:00 p.m.
9 The parties are reminded of their obligation to file status reports
10 prior to the conference.

11 IT IS SO ORDERED.

12 DATED: October 12, 2005.

13 /s/Lawrence K. Karlton
14 LAWRENCE K. KARLTON
15 SENIOR JUDGE
16 UNITED STATES DISTRICT COURT
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24 ¹ The court admonishes plaintiff to follow the guidelines set
25 forth in Ojai Unified Sch. Dist. v. Jackson, 4 F.3d 1467 (9th Cir.
26 1993), with regard to admissibility of evidence. Defendant is also
reminded of this court's broad discretion to admit additional
evidence under Ojai and the governing statute, and thus, the court
will not look kindly upon unnecessary discovery objections.